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September 18, 1992

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Ms. Donna R. Searcy
Secretary
Federal Communications Commission
Suite 222
1919 M Street, N.W.
Washington, D.C. 20554

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

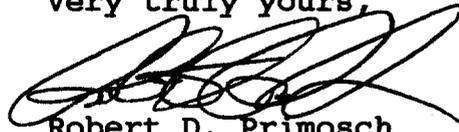
RE: MM Docket No. 92-157

Dear Ms. Searcy:

Transmitted herewith on behalf of Radio Cleveland, Inc., are an original and four (4) copies of its "Comments and Counterproposal" with respect to the above-referenced proceeding.

Should any questions arise concerning this matter, please communicate with this office.

Very truly yours,



Robert D. Primosch
Counsel for
Radio Cleveland, Inc.

RDP/bl1
Enclosures

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BEFORE THE

Federal Communications Commission

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

WASHINGTON, D.C. 20554

In the Matter of)	
)	
Amendment of Section 73.202(b))	MM Docket No. 92-157
Table of Allotments,)	
FM Broadcast Stations.)	
(Cleveland and Belzoni,)	
Mississippi))	

Directed to: Chief, Allocations Branch

COMMENTS AND COUNTERPROPOSAL

Radio Cleveland, Inc. ("RCI"), licensee of stations WAID(FM), Clarksdale, Mississippi, and WCLD(AM) and WCLD-FM, Cleveland, Mississippi, hereby submits its Comments and Counterproposal with respect to the FCC's Notice of Proposed Rule Making (DA 92-943, released July 28, 1992) in the above-captioned proceeding. In support thereof, the following is stated:

1. In the NPRM, the Commission proposes the substitution of Channel 225C2 for Channel 224A at Cleveland, Mississippi, and a corresponding modification of the license for WDTL-FM (formerly WQAZ(FM)) to specify operation on the new channel at Cleveland. To accommodate the Cleveland channel substitution, the Commission has also proposed the substitution of Channel 292A for Channel 225A at Belzoni, Mississippi, and a corresponding modification of the construction permit for WJSJ(FM) to specify operation on the new channel at Belzoni.

2. For the reasons set forth below, RCI submits the following counterproposal for consideration in this proceeding:

Channel No.

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Cleveland, Mississippi	224A, 280A, 295A	224A, 280A 295A
Belzoni, Mississippi	225A, 296A	225A, 296A
Durant, Mississippi	----	292A

The attached Technical Statement demonstrates that Channel 292A can be allotted to Durant (population 2,838 - 1990 U.S. Census) in full compliance with the separation standards in Section 73.207(b)(1) of the Commission's Rules, and will place a predicted 70 dBu contour over the entire community.¹

Furthermore, Channel 292A would be Durant's first local aural service. The provision of a first local aural transmission service is the Commission's second most important FM allotment priority, co-equal with second aural service and trailing in weight only behind the provision of a first aural service.

Revision of FM Assignment Policies and Procedures, 90 F.C.C.2d 88 (1982). Hence, the allotment of Channel 292A to Durant as a first aural service is preferable to the upgrade of WDTL(FM) at

¹ The potential short-spacing between Channel 292A at Durant and station WLTD(FM), Lexington, Mississippi, was removed by the substitution of Channel 290C2 for Channel 290C3 at Lexington, the change of community of license for Channel 290C2 from Lexington to Pickens, Mississippi, and the modification of the license for WLTD(FM) to specify operation on Channel 290C2 at Pickens. Report and Order (Lexington & Pickens, Mississippi), MM Docket No. 91-183, DA 91-1173 (released October 1, 1991).

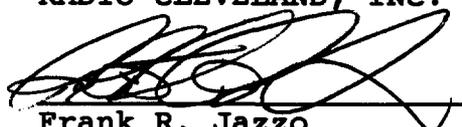
Cleveland, Mississippi, and to the substitution of Channel 292A for Channel 225A at Belzoni, particularly since Cleveland and Belzoni already both have multiple aural services. In principle, the Commission prefers the creation of new service over the enhancement of existing service. Andalucia, Alabama, 49 Fed. Reg. 32201 (1984).

3. In the event that the FCC grants RCI's counterproposal and allots Channel 292A to Durant, RCI will promptly file an application for a construction permit for the new channel. In the event that RCI is awarded a construction permit for Channel 292A at Durant, it will expeditiously construct a new FM station on Channel 292A at Durant.

WHEREFORE, Radio Cleveland, Inc. requests that the FCC amend the FM Table of Allotments by allotting Channel 292A to Durant, Mississippi.

Respectfully submitted,

RADIO CLEVELAND, INC.

By: 

Frank R. Jazzo
Robert D. Primosch

Its Attorneys

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September 18, 1992

TECHNICAL STATEMENT
RADIO CLEVELAND, INC.
DURANT, MISSISSIPPI

This technical statement has been prepared on behalf of Radio Cleveland, Inc. and is in support of a counter-proposal in Mass Media Docket 92-157 (RM-7462). The Docket proposes to allot FM Channel 292A to Belzoni, Mississippi as a replacement for the presently allotted Channel 225A.

This counter-proposal requests allotment of Channel 292A to Durant, Mississippi as its first FM service. Allotment of Channel 292A to Durant will also provide the community with its first local service.

The attached Channel Study indicates Channel 292A can be allotted to Durant in full compliance with the separation standards in Section 73.207(b)(1) of the FCC Rules. An indicated short-spacing to WLTD at Lexington, Mississippi has been eliminated since WLTD was authorized to change its community of license from Lexington to Pickens, Mississippi; change channel and class of operation from Channel 292A to Channel 290C2; and re-locate its transmitter site. The attached records from the FCC FM database identify these changes.

The reference point at Durant is located approximately 12 km north of the community center. Application of the procedures in Section 73.313 indicates that the predicted 70 dBu contour will encompass the entire community of license from the reference point.

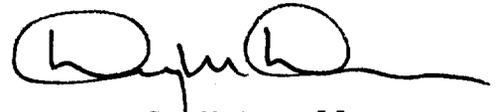
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The attached portion of the Memphis Aeronautical Sectional map shows the reference point and Durant, Mississippi.

Since Radio Cleveland, Inc. has authorized the preparation of this technical statement and has filed it with the Commission, it is apparent there is intent to apply for, and, if granted, construct FM facilities on Channel 292A at Durant, Mississippi.

This technical statement has been prepared by me and is true and correct of my knowledge, except as to such statements based on information provided, which I believe to be true and correct.

26 August 1992



Doug C. McDonell

SINGLE CLASS CHANNEL STUDY
 FM CHANNEL 292 A (6 KW) 106.3 MHZ
 DURANT, MISSISSIPPI
 SEARCHING: MS, TN, KY, AL, FL, LA, AR, MO

DATABASE DATE: 07-30-1992
 RUN DATE: 08-26-1992

LATITUDE: 33 11 0
 LONGITUDE: 89 52 0

****STUDY USES 6 KW CLASS A SEPARATIONS****

CHANNEL & CLASS	CALL	STATUS	CITY	ST	COORDINATES	MINIMUM KM	CALCULATED KM (MI)
238			NONE				
239			NONE				
289			NONE				
290C2	WLTD	APP	Pickens	MS	324003 900313	55	59.8(37.2)
290C2		VACANT	Pickens	MS	323938 900320	55	60.6(37.7)
291C2		USED	Starkville	MS	331800 884000	106	112.6(70.0)
291C2	WMXU	LIC	Starkville	MS	331738 883927	106	113.4(70.5)
<u>1/</u> *292A		ADD	Belzoni	MS	330806 902458	115	51.5(32.0)
292A	WAID	LIC	Clarksdale	MS	340922 903752	115	129.1(80.2)
<u>2/</u> *292A	WLTD	LIC	Lexington	MS	330614 900010	115	15.5(9.6)
292A	WMYQ-FM	DEL	Newton	MS	321946 891008	115	115.1(71.5)
292A		USED	Newton	MS	321946 891008	115	115.1(71.5)
292A	WMYQ-FM	APP	Newton	MS	322122 890036	115	121.9(75.8)
292A	WMYQ-FM	LIC	Newton	MS	321946 891008	115	115.1(71.5)
292A	WMYQ	DEL	Newton	MS	321946 891008	115	115.1(71.5)
292C2	WMFM	ADD	Petal	MS	313250 892104	166	187.8(116.7)
293C2	WAID	APP	Clarksdale	MS	341355 902247	106	125.7(78.1)
293C2		VACANT	Clarksdale	MS	341410 902902	106	130.0(80.8)
294C	WSTZ-FM	APP	Vicksburg	MS	321222 902450	95	119.9(74.5)
294C	WSTZ-FM	CP	Vicksburg	MS	321229 902450	95	119.7(74.4)
294C		USED	Vicksburg	MS	321222 902450	95	119.9(74.5)
294C	WSTZ-FM	LIC	Vicksburg	MS	321222 902450	95	119.9(74.5)
295			NONE				

NONE indicates clearance within a 32 km (20 mi)
 extension of the required minimum separation.

The data used in this study is taken from the FCC FM Engineering Database released by the Commission on 07-30-1992. The data is considered as a secondary source and may not agree with information contained in the primary source (see Section 0.434(e) of the Rules).

Doug C. McDonell, Technical Consultant does not assume any responsibility for erroneous or incomplete data contained in the FCC Database.

1/ Proposed allotment being counter-proposed.

2/ To Channel 290C2 at Pickens, Mississippi (Docket 91-183).

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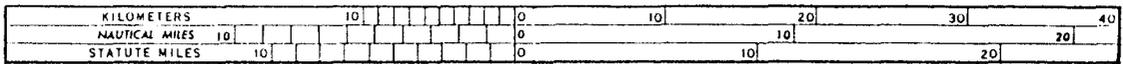
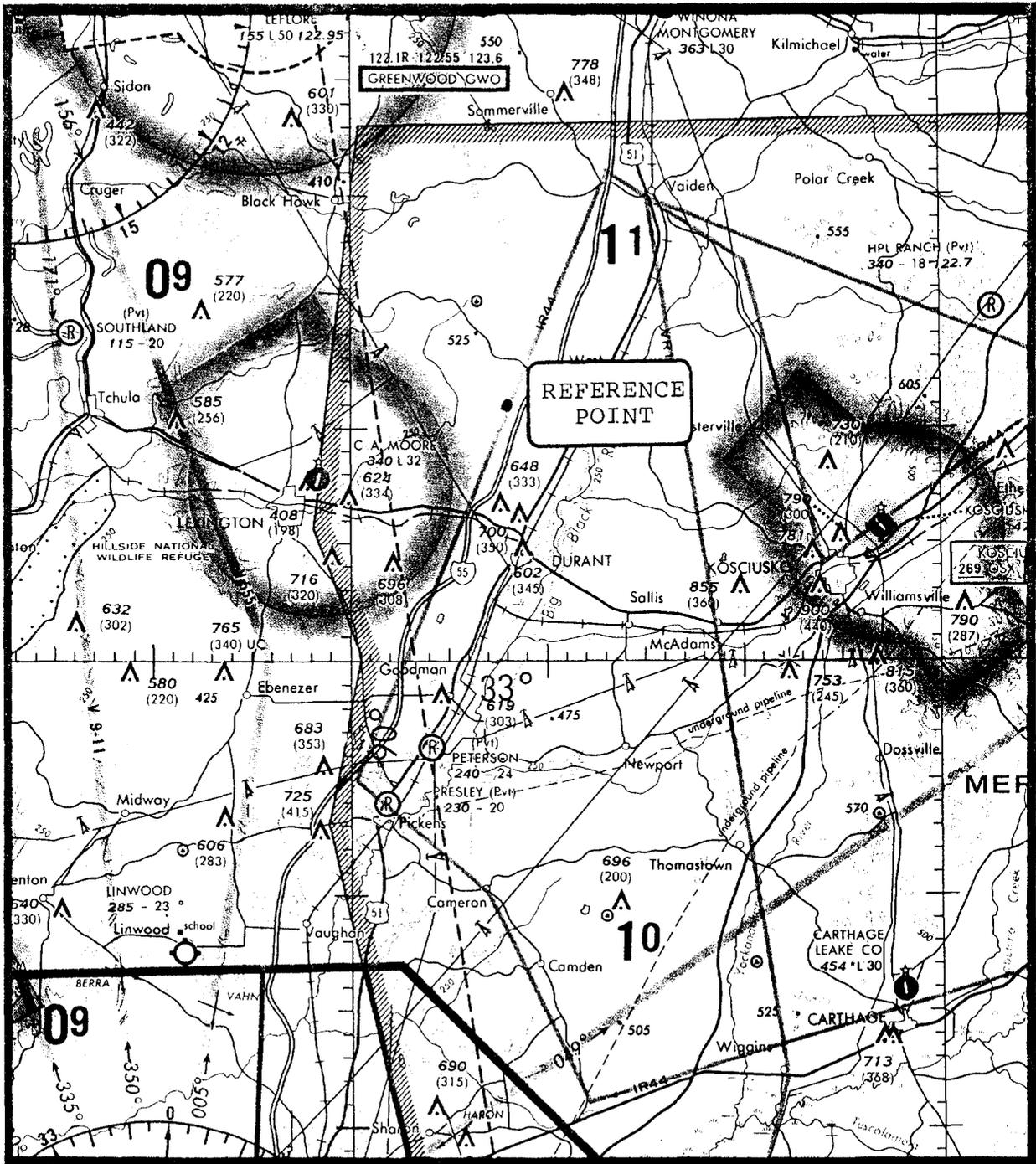
CALL: WLTD
STATUS: LIC SERVICE CLASS:FM
CITY: Lexington
STATE: MS COUNTRY:U
CHANNEL: 292
CLASS: A
LATITUDE: 33-06-14
LONGITUDE: 90-00-10
POWER: 3.00
HAAT: 91 BEAM TILT:N
C OF R AMSL: 188
D/A: N D/A MAKE: D/A ROTATE:
C/P 73.215: N D/A MODEL:
UPDATE: 920413
OWNER: J. Scott Communications, Inc.
REF. NO.: BLH800814AE
DOCKET NO.:
WINDOW OPENS: WINDOW CLOSE/CUTOFF:
MAINKEY: D8A428E00091AD49
COMMENTS:
*To channel 290C2, Pickens, MS per D91-183

CALL: WLTD
STATUS: APP SERVICE CLASS:FM
CITY: Pickens
STATE: MS COUNTRY:U
CHANNEL: 290
CLASS: C2
LATITUDE: 32-40-03
LONGITUDE: 90-03-13
POWER: 25.5
HAAT: 210 BEAM TILT:N
C OF R AMSL: 282
D/A: N D/A MAKE: D/A ROTATE:
C/P 73.215: N D/A MODEL:
UPDATE: 920413
OWNER: J. Scott Communications, Inc.
REF. NO.: BPH920228IM
DOCKET NO.:
WINDOW OPENS: APPLICATION CUTOFF:
MAINKEY: C86AE4C0009581B5
COMMENTS:
From Channel 292A Per D91-183

920826

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REFERENCE POINT AND
 CITY OF LICENSE
 RADIO CLEVELAND, INC.
 DURANT, MISSISSIPPI



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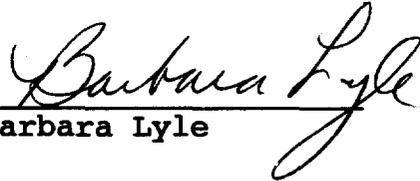
CERTIFICATE OF SERVICE

I, Barbara Lyle, a secretary in the law firm of Fletcher, Heald & Hildreth, do hereby certify that a true copy of the following "Comments and Counterproposal" was sent this 18th day of September, 1992, first-class United States mail, postage prepaid, to the following:

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